

REMARKS

Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

Status of Claims:

No claims are currently being amended, added or cancelled.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-30 remain pending in this application.

Claim Rejections – Prior Art:

In the Office Action, claims 1-4, 8-10, 14-19 and 23-25 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,871,140 to Florance et al.; claims 5-6, 11-12, 20-21 and 26-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Florance et al. in view of U.S. Patent No. 7,107,263 to Yianilos et al.; and claims 7, 13, 22 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Florance et al. in view of Yianilos et al. and further in view of U.S. Patent No. 6,737,508 to Pelletier. These rejections are traversed for at least the reasons given below.

In its rejection of claim 1, the Office Action asserts that column 3, lines 44-52 of Florance et al. describes an output control unit that outputs and information analyzing result from an analyzing unit as output information, that creates a re-search query by using the information analyzing result, and that supplies the created re-search query to a query generating unit. Applicants respectfully disagree.

Namely, column 3, lines 44-52 of Florance et al. describes that brokerage firms have attempted to collect data on specific territories and have developed software to analyze the information that has been independently gathered, whereby this fragmented approach results in duplication of effort in collection and analysis of information, among other things. This portion of Florance et al. does not disclose or suggest a re-search of a same database that has been previously searched, in order to obtain a better search criteria. Rather, it merely describes a conventional scheme whereby data obtained from a database is analyzed in order to extract desired information, whereby no re-search of that database using a new search

criteria is disclosed or suggested in this portion of Florance et al. To argue otherwise amounts to improper hindsight reconstruction of this claim element.

In the Response to Arguments section on pages 16 and 17 of the Office Action, it also points to column 11, lines 1-8 of Florance et al. for allegedly providing a teaching for this claim element. Applicant again respectfully disagrees. Namely, this portion of Florance et al. describes an intelligent search technique that allows a user to adding search terms to the user's original search request, whereby the search software retains the user's original search request and corresponding search results. This intelligent search feature allows a user to add or remove search terms without rerunning the entire search.

In response, the claimed output control unit creates a re-search query by using the information analyzing result output by the analyzing unit, and supplies the re-search query to a query generating unit. None of these elements corresponds to a "user", and thus the presently claimed invention is much different from the "user involved" intelligent search technique of Florance et al.

Accordingly, independent claim 1 is not anticipated by Florance et al. for at least this reason.

Still further, the Office Action asserts that column 9, lines 42-49 of Florance et al. discloses the claimed condition setting unit which has an analyzing condition for analyzing the information searching result and an output condition for outputting the output information, in which an analyzing unit analyzes the information searching result in accordance with the analyzing condition from the condition setting unit. Applicants respectfully disagree.

Namely, column 9, lines 42-49 of Florance et al. describes that comparable sales information is analyzed, whereby a database can be searched by parameters such as location, property type, square footage, price range, and number of units. This portion of Florance et al. relates to user-inputted values for searching a database, and does not disclose or suggest that an analyzing condition is set by a condition setting unit to be used by an analyzing unit to analyze data obtained from a database. Rather, this portion of Florance et al. falls well short of these specific features recited in claim 1.

Again, the claimed condition setting unit is not a "user" and does not involve "user interaction" in providing an output, and thus the disclosure in Florance is not especially

pertinent to this claim element. The comments provided on pages 17 and 18 of the Office Action in the Response to Arguments section note column 61, lines 31-57 of Florance for providing additional support for this claim element, but again a user makes selections from customizable reports and the user exports and edits reports. Thus, the user is the entity that provides inputs to implement the functions described in column 61, lines 31-57 of Florance, whereby the claimed condition setting unit is not a “user”.

Accordingly, independent claim 1 is not anticipated by Florance et al. for this additional reason.

Independent claim 14 is a “method” claim that recites similar features to those recited in “system” claim 1, and thus that claim is also not anticipated by Florance et al.

With respect to independent claim 8, that claim recites a condition setting unit that has an analyzing condition for analyzing an information searching result, and that outputs the analyzing condition to an analyzing unit. The Office Action incorrectly asserts that column 9, lines 42-49 of Florance et al. describes these features. Rather, as discussed in detail above with respect to claim 1, such features are not disclosed or suggested in this portion of Florance et al.

Accordingly, independent claim 8 is not anticipated by Florance et al.

Independent claim 23 is a “method” claim that recites similar features to those recited in “system” claim 8, and thus that claim is also not anticipated by Florance et al.

Furthermore, with respect to dependent claims 7, 13, 22 and 28, those claims recite that the user query corresponds to a specific gene or protein, and wherein the information analyzing result to be used to create the re-search query include accession numbers of the specific gene or protein. Such features are described, for example, on page 28, lines 18-26 of the specification. In its rejection of claims 7, 13, 22 and 28, the Office Action asserts that Pelletier teaches the features recited in those claims. Applicants respectfully disagree. Namely, while Pelletier describes particular bacteriophages, there is nothing in this reference that teaches or suggests using accession numbers of a specific gene or protein provided as a search term, in order to create a re-search term. It is noted that section 7) of the Office Action (that provides the basis for rejecting claims 7, 13, 22 and 28) and the Response to Arguments section of the Office Action do not address these specific features recited in claims 7, 13, 22 and 28.

Accordingly, presently pending dependent claims 7, 13, 22 and 28 are patentable for these additional reasons, beyond the reasons given above for their respective base claim.

Dependent claims 29 and 30 recite features of the re-search query that are not taught or suggested by the cited art of record, when taken as a whole. In particular, the only user input is the first user query, whereby the re-search query does not utilize any further user input. In Florance et al., on the other hand, as clearly described in column 11, lines 1-8 and column 3, lines 44-52, user interaction is required. In its rejection of claims 29 and 30, the Office Action asserts that column 21, lines 11-16 of Florance et al. teaches the features recited in these claims, but Applicants respectfully disagree. Namely, this portion of Florance et al. describes periodically running the exact same search in a database, so that new data entries that have been added to the database will be "hit" by later "same searches." This clearly does not correspond to a re-search query as claimed, but rather it corresponds to a same search query that is performed at periodic intervals.

Accordingly, presently pending dependent claims 29 and 30 are patentable for these additional reasons, beyond the reasons given above for their respective base claim.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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